

VOGELEY
Appl. No. 10/815,975
April 3, 2006

REMARKS/ARGUMENTS

Reexamination of the captioned application is respectfully requested.

A. SUMMARY OF THIS AMENDMENT

By the current amendment, Applicants basically:

1. Thank the Examiner for the indication of allowable subject matter in claims 3, 4, 9, 10, 14, 15, 20, 21, 23, 25, 29, 30, 35 and 36.
2. Amend claims 1, 3, 5, 6, 9, 11, 12, 14, 16, 17, 20, 22, 23, 25, 26, 28, 29, 31, 32 and 35.
3. Cancel claims 7, 8, 18, 19 and 24, without prejudice or disclaimer.
4. Respectfully traverse all prior art rejections.

B. PATENTABILITY OF THE CLAIMS

In view of the indication of allowable subject matter, the independent claims 1, 11, and 26 have been amended to refer to determination of capacitance of the piezoelectric. In addition, allowable claims 9, 20, 25, and 35 have been rewritten as independent claims. Dependent claims have been amended where appropriate for consistency with the independent claim amendments. Such amendments are believed to render all claims allowable.

C. MISCELLANEOUS

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

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Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

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3. Cancel claims 7, 8, 18, 19 and 24, without prejudice or disclaimer.
4. Respectfully traverse all prior art rejections.

B. PATENTABILITY OF THE CLAIMS

Claims 1, 2, 5, 11-13, 16, 22, 26-28 and 31 stand rejected under 35 USC §102(e) as being anticipated by U.S. Publication 2004/0018100 to Takagi et al (see the paragraph under the heading "Claim Rejection - 35 USC §102" on page 2 of the Office Action). Claims 1, 2, 5, 11-13, 16, 22 and 27 stand rejected under 35 USC §102(b) as being anticipated by JP 06-117377 to Aoki (see the fourth paragraph on page 4 of the Office Action). Claims 1, 5, 6, 11, 12, 16 and 17 stand rejected under 35 USC §102(b) as being anticipated by U.S. Patent 6,411,009 to Jaenker (see the second paragraph on page 6 of the Office Action). Claims 1, 7, 8, 11, 12, 18, 19, 22 and 24 stand rejected under 35 USC §102(b) as being anticipated by U.S. Patent 6,229,245 to Kitani (see the third full paragraph on page 2 of the Office Action). Claim 32 stands rejected under 35 USC §103(a) as being unpatentable over U.S. Publication 2004/0018100 to Takagi et al in view of U.S. Patent 6,411,009 to Jaenker (see the paragraphs under the heading "Claim Rejections - 35 USC §103" beginning on page 9 of the Office Action). Claims 33 and 34 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Publication 2004/0018100 to Takagi et al in view of U.S. Patent

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6,229,245 to Kitani (see the first full paragraph on page 10 of the Office Action). All prior art rejections are respectfully traversed for at least the following reasons.

C. MISCELLANEOUS

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

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